



**MEMORANDUM**

**TO:** City Council

**FROM:** Kathleen Dooley, City Attorney

**DATE:** September 13, 2012

**RE:** Proposed Resolution Identifying Priority Issues

**ISSUE:**

Shall City Council adopt a resolution identifying certain issues as “priority” in conjunction with the zoning approvals for the new court facility?

**RECOMMENDATION:**

Yes. The proposed resolution provides Council members a means of formally acknowledging important questions and issues that were not resolved by the award of the PPEA Comprehensive Agreement to FirstChoice Public-Private Partners. It places these issues in the larger framework of the City’s Comprehensive Plan (2007) and identifies them as continuing priorities of the governing body.

**BACKGROUND:**

The City’s Comprehensive Plan (2007) is the strategic plan for the governing body, the City staff, local agencies, boards, commissions, and residents. The City is required by state law to adopt a comprehensive plan and to periodically review it, as a sound foundation for good government. The City Council regularly consults the Comprehensive Plan in the course of its decision-making.

From my perspective, the Fredericksburg City Council is at a point of transition from one important initiative to the next. With the PPEA Comprehensive Agreement for the new courts facility awarded, funds borrowed, and both design and site development work underway, the City Council has substantially completed its work on a “top priority” goal of the Comprehensive Plan –to “adopt a courts improvement plan for modernizing all three City courts.” The zoning approvals, of course, are ready for Council action, and the

## **ITEM #6F**

project will continue to require substantial attention by City staff throughout the remainder of the design, construction, and implementation phases.

The PPEA Comprehensive Agreement resolves myriad issues attendant to the courts project, but not all of them. The Comprehensive Agreement answered such questions as where to build the new courts facility and whether the City would consolidate all of the courts in a single facility. The new courts project does not provide a new public parking facility; and it does not resolve the long-term fate of the Executive Plaza. The PPEA Comprehensive Agreement includes a proposal for the re-use of the Renwick courthouse, but Council has not studied that proposal in detail or adopted it.

The Council is now ready to turn its attention to these issues. The unresolved issues require further Council focus and public input, and they call on Council's time and attention in the context of other pressing questions identified in the Comprehensive Plan, the Capital Improvements Plan, and the Council's own biennial goals and initiatives. The draft resolution therefore does not attempt to prioritize the unresolved questions, but simply to identify the "new" issue – the re-use of Renwick -- and to confirm the priority of the ongoing initiatives.

I believe that the Council may be assisted in ordering its work, and progressing through the important unresolved issues, by marking its progress formally through the adoption of the resolution accompanying this memorandum.

### **FISCAL IMPACT:**

The City Manager proposes to identify a "deposit" or "down-payment" on the funding that will be required for Renwick and downtown parking, in a separate resolution.



**MOTION:**

**September 18, 2012  
Special Session  
Resolution No. 12 - \_\_**

**SECOND:**

**RE: IDENTIFYING PRIORITY ISSUES FOR CITY COUNCIL  
CONSIDERATION, IN LIGHT OF THE PROGRESS OF THE NEW  
COURTS FACILITY PROJECT**

**ACTION:**

**WHEREAS**, the City Council adopted the Fredericksburg Comprehensive Plan (2007) in order to guide and accomplish a coordinated, adjusted and harmonious development of the territory within the City limits;

**WHEREAS**, the Comprehensive Plan (2007) establishes an Action Plan intended to implement the City's vision for its future, reflecting the description and analysis of current conditions and strategic objectives;

**WHEREAS**, the Comprehensive Plan (2007) adopts as a "Top Priority" under the heading "Public Facilities and Services Initiatives," the goal to "adopt a courts improvement plan for modernizing all three City courts;"

**WHEREAS**, by adoption of Resolution 11- 96 on November 8, 2011, the City Council awarded a Public Private Education Facilities and Infrastructure Act (PPEA) Comprehensive Agreement to First Choice Public-Private Partners: Fredericksburg Courts, LLC for the design and construction of a new courthouse at the corner of Princess Anne and Charlotte Streets, and authorized the City Manager to execute, deliver, and carry out the terms of the Comprehensive Agreement;

**WHEREAS**, the award of the Comprehensive Agreement and its implementation will substantially fulfill the Comprehensive Plan (2007) goal for a courts improvement plan for modernizing all three City courts;

**WHEREAS**, the award of the Comprehensive Agreement did not resolve such related issues as the future use of the 1852 Renwick Courthouse, the provision of additional downtown parking facilities, parking needs generated directly by the courts, or the future use of the Executive Plaza;

**WHEREAS**, the Comprehensive Plan (2007) does not address the future use of the Renwick Courthouse as a key issue or initiative; but, with the award of the Comprehensive Agreement, such future use is a high priority of the City Council;

**WHEREAS**, the JumpStart! (2006) Final Report, incorporated by reference into the Comprehensive Plan (2007) identifies downtown parking as a key issue (Final Report §3.1, page 12), and the JumpStart! (2006) Action Plan calls for a “clear and workable strategy to provide parking” employing the “full range of parking management strategies” (Action Plan page 16);

**WHEREAS**, the Comprehensive Plan (2007) adopts the initiative to “develop a renovation and utilization plan for the Executive Plaza,” as a “needs attention” priority under “Public Facilities and Services Initiatives.”

**NOW THEREFORE, BE IT RESOLVED** that the City of Fredericksburg Council:

1. Identifies the consideration of the future use of the 1852 Renwick Courthouse as a high priority of the governing body, for further discussion and development at its October 9, 2012 work session and October 19-20, 2012 Biennium Planning Retreat.
2. Confirms the development of a clear and workable strategy to provide parking downtown, including parking for the courts, employing the full range of parking management methods, as an important long-term priority of the City.
3. Confirms the development of a renovation and utilization plan for the Executive Plaza as an important long-term priority of the City.
4. By separate resolution of even date, assigns certain fund balance for the Renwick and downtown parking priorities in order to set aside funds for future project implementation

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

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***Clerk's Certificate***

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 12-\_\_ duly adopted at a meeting of the City Council meeting held \_\_\_\_\_ at which a quorum was present and voted.*

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***Tonya B. Lacey, CMC***  
***Clerk of Council***